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## **OLR Bill Analysis**

### **sHB 6672**

#### ***AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND.***

#### **SUMMARY:**

This bill:

1. authorizes conveyances of state property to the towns of Canton, New Britain, Southbury, and Stamford;
2. amends prior conveyances in Tolland, Wethersfield, and Barkhamsted and New Hartford;
3. authorizes a land exchange in New Britain and Newington;
4. grants a conservation easement in Middletown; and
5. repeals a land exchange authorization in Haddam.

EFFECTIVE DATE: Upon passage

#### **§§ 5, 7-9 — NEW CONVEYANCES**

The bill requires the following conveyances from the agencies to the towns named for the purpose specified:

1. the Department of Transportation (DOT) to New Britain (.65 acre for fair market value, as determined by the average appraisals of two independent appraisers chosen by the commissioner, plus administrative costs);
2. the Department of Administrative Services (DAS), on behalf of the State Department of Education, to Stamford for recreation (6.6 acres, including improvements, for the conveyance's administrative costs);
3. DAS, on behalf of the Department of Developmental Services, to

Southbury for housing (45 acres for administrative costs); and

4. the Department of Energy and Environmental Protection (DEEP) to Canton for municipal purposes, including relocating Lawton Road to accommodate the extension of the Farmington River Rail Trail (1.5 acres for administrative costs).

Each conveyance must be approved by the State Properties Review Board within 30 days. Conveyances with a specified purpose revert to the state if the recipient sells, leases, or uses the parcel for any purpose other than that specified in the bill. The bill specifies that the Canton parcel must be conveyed subject to a pole and guy easement in favor of AT&T.

### **§§ 1-3 — AMENDED CONVEYANCES**

The bill amends a 2011 conveyance of two parcels totaling .3606 acre from DOT to Wethersfield to allow the town to use the parcels for any purpose. The parcels' use is currently limited to municipal purposes. The bill makes a conforming change by removing a requirement that the parcels revert to the state if the town does not use them for municipal purposes.

The bill also amends a 2012 conveyance of a 3.2 acre parcel from DOT to Tolland to allow the town to sell or lease the parcel. Currently, the parcel reverts to the state if the town leases or sells it. As under existing law, the parcel must be used for economic development purposes.

The bill repeals a 2012 amendment to a 2008 conveyance of a 3.2 acre parcel in Barkhamsted and New Hartford from DOT to Regional Refuse Disposal District One. The 2012 amendment allowed the district to exchange a portion of the parcel with abutting property owners to construct a water well line on the abutting property. The conveyance's provisions require the property to be used for economic development and prohibit the district from selling, leasing, or, except as provided in the 2012 amendment, exchanging the property.

### **§ 4 — LAND EXCHANGE**

The bill authorizes a land exchange between DOT and New Britain, under which DOT must convey to New Britain a 15.5 acre parcel located in Newington in exchange for a 68 acre parcel in New Britain and the conveyance's administrative costs. Additionally, the bill requires that New Britain grant DEEP a permanent conservation easement on parcels totaling approximately 23 acres in New Britain. The exchange and easement must be made simultaneously and in consideration of each other and are subject to SPRB approval.

#### **§ 6 — CONSERVATION EASEMENT**

The bill requires the Department of Mental Health and Addiction Services (DMHAS) to grant DEEP a conservation easement over certain parcels in Middletown. The easement must be for the purpose of preserving for conservation reservoirs and watersheds located on the land comprising Connecticut Valley Hospital's (CVH) watershed. It specifies that the easement cannot prevent DMHAS from (1) using the parcels for any activity relating to CVH's water supply or (2) taking any steps it deems necessary to limit access to protect the water supply's integrity.

#### **§ 10 — REPEALED LAND EXCHANGE AUTHORIZATION**

The bill repeals a 2011 special act provision (SA 11-16) that required DEEP and Riverhouse Properties, LLC to enter into an agreement to exchange parcels of land in Haddam or other consideration of approximately equal value. The special act required DEEP to convey a 17.4-acre parcel to Riverhouse in exchange for land or other consideration which must include an 87.7-acre parcel owned by Riverhouse.

The 2011 provision also required (1) the specific description of land or other consideration conveyed to be established by mutual agreement and (2) DEEP and Riverhouse to make all reasonable efforts to reach the agreement by December 31, 2011. The parties have not reached agreement.

#### **COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 14 Nay 0 (04/05/2013)